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REMARKS

Applicants' undersigned representative thanks Examiner Pellegrino for the time spent on the phone discussing the Office action and the rejections on April 7, 2005. No agreement was reached as to allowable claims, but the claims and the cited references were discussed.

After entry of this response, claims 10-15, 19-22, 25, and 26 will be pending.

Claims 10, 13, 14, 19, 22, and 25 are hereby amended, without prejudice. Only minor adjustments have been made to dependent claims 13, 14, and 22. The amendments to independent claims 10, 19, and 25 provide further detail regarding the "releasably joined" structure already recited in those claims. Applicants respectfully submit that it is unnecessary for them to provide further detail in the independent claims regarding the "releasably joined" structural recitations already in the independent claims, but applicants provide such further detail by the amendments to the independent claims to address the Examiner's concerns about the "releasably joined" structural recitations and thus to secure allowance of the amended claims as soon as possible. The amendments are made without prejudice, and thus applicants reserve the right to pursue in the future claims of the same or similar scope as the unamended independent claims.

The pending independent claims are amended claims 10, 19, and 25.

No new matter has been added by the amendments, and support can be found throughout the originally filed application. For example, see page 10 of applicants' originally filed specification.

Withdrawn claims 16 and 17 are hereby canceled, without prejudice. Claims 23 and 24 also are hereby canceled, without prejudice.

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Claims 10, 19, 21, and 23-26 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 5,876,417 to Devonec et al. (hereinafter "Devonec"). Claims 11-15, 20, and 22 are rejected under 35 U.S.C. §103(a) over Devonec in view of UK Patent Application No. GB 2 348 138 A to Rovegno et al. (hereinafter "Rovegno").

Applicants traverse these rejections for at least the reasons provided below.

The Office action indicates that Devonec discloses a stent body member 8 with a lumen therein and a connecting segment 7 releasably coupled to the distal end of the tubular element 8 via coupling means 14 in the form of a tubular body. Applicants submit however that, while the "introduction means 3" of Devonec is coaxially aligned with Devonec's "catheterization means 2" (col. 3, lines 60-67 of Devonec), Devonec does not teach or suggest that the introduction means 3 is releasably joined or releasably coupled to the catheterization means 2. In Devonec (at, for example, col. 4, line 56 to col. 5, line 1 and col. 7, line 28-48), the "pusher tube 7" merely butts up against the "lower tubular element 9" and pushes the "catheterization means 2" (which "comprises two tubular elements, being an upper element 8 and a lower element 9" as indicated at col. 4, lines 8-9 of Devonec) into position within the upper and lower parts (10, 11) of the urethral channel on either side of the striated muscular sphincter (13), respectively. The same is true for the second embodiment that is described in Devonec with respect to FIGS. 11 and 12. See, for example, col. 5, line 54 to col. 6, line 39 and also col. 7, lines 28-48.

Devonec certainly does not teach or suggest anything about the further detail now recited in each of the independent claims regarding releasable joining or releasable coupling according to one embodiment of applicants' invention.

Rovegno does not teach or suggest anything about releasably joining or releasably coupling anything to the prosthesis 60. It is clear from Fig. V and pages 12-13 of Rovegno that the prosthesis 60 is pushed out of the tube 21, when the handles (35 and 45) are brought together, by the distal end of the tube 41 abutting an end of the prosthesis and driving the prosthesis out.

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Given that each of Devonec and Rovegno fails to teach or suggest this same aspect of applicants' invention, no combination of Devonec and Rovegno could possibly have resulted in applicants' invention. Any combination of Devonec and Rovegno would have necessarily lacked this aspect of applicants' invention because it is missing from Devonec and from Rovegno.

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CONCLUSION

In view of the foregoing, applicants request reconsideration and allowance of claims 10-15, 19-22, 25, and 26.

It is believed that no fees or extensions are required for entry and consideration of this response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, the Office is hereby authorized and requested to charge Deposit Account No. 04-1105, and the Office should consider this a conditional petition for any extension period needed.

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Respectfully submitted,



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